



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,514	10/12/2001	Hwee Hwa Pang	P21102	5669

7055 7590 08/26/2005

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

SHAW, PELING ANDY

ART UNIT PAPER NUMBER

2144

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/856,514

Applicant(s)

PANG ET AL.

Examiner

Peling A. Shaw

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/22/03, 2/7/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. This application is a 371 of PCT/SG99/00077 filed on 07/15/1999 with a priority # SINGAPORE PCT/SG98/00102 12/16/1998 and SINGAPORE PCT/SG99/00018 03/18/1999.

The filing date is 10/12/2001.

Claim Rejections - 35 USC § 112, second paragraph

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 11 are rejected under 35 U.S.C. 112, second paragraph as following:

- a. Claims 9 and 11 recites the limitation of "... prior to step (c) ...". There is insufficient antecedent basis for this limitation in the claim. For the purpose of applying art, items (d), (e) and (f) in claim 1 are read as items (a), (b) and (c).

Clarification and/or correction are required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 12-19 are rejected under 35 U.S.C. 102(b) as being anticipated by White et al. (US 5603031 A), hereinafter referred as White.

- a. Regarding claim 1, White disclosed a method of transferring an active application from a sender to a recipient, the method comprising the steps of: (d) creating a hibernaculum of a process containing some or all of the program modules, data and execution state of the active application (column 7, line 66-column 8, line 6), (e) sending the hibernaculum to a location for retrieval by the recipient (column 8, line 6-10); and (f) reconstructing the active application from the retrieved hibernaculum (column 8, line 11-26).
- b. Regarding claim 2, White disclosed a method as claimed in claim 1 wherein the location is the mailbox of the recipient (column 107, line 48-column 108, line 10; column 108, line 55-column 109, line 5; column 110, line 58-column 111, line 2; column 123, line 35-49).
- c. Regarding claim 12, White disclosed a method of transferring an active application from a sender to a recipient, one being an initiating party and the other being a target, the method comprising the steps of: (a) specifying the address of the target that is to participate in the transfer with the initiating party (column 9, line 40-46); (b) creating a hibernaculum of a process containing some or all of the program modules, data and execution state of the active application (column 7, line 66-column 8, line 6); (c) sending the hibernaculum to the recipient (column 8, line 6-10); (d) reconstructing the active application from the hibernaculum (column 8, line 11-26).
- d. Regarding claim 13, White disclosed a method as claimed in claim 12 wherein the sender initiates the transfer (column 21, line 55-65).

Art Unit: 2144

- e. Regarding claim 14, White disclosed a method as claimed in claim 12 wherein the recipient initiates the transfer (column 21, line 55-65).
- f. Regarding claim 15, White disclosed a method as claimed in claim 1 wherein the sender and recipient are different machines (column 21, line 55-65).
- g. Regarding claim 16, White disclosed a method as claimed in claim 1 wherein the sender and recipient are different users (column 9, line 40-46).
- h. Regarding claim 17, White disclosed a method as claimed in claim 1 wherein the sender and recipient are the same, the steps of sending and recovering being spaced in time (column 56, line 58-67).
- i. Regarding claim 18, White disclosed apparatus for performing the method of claim 1 (column 7, line 25-52).
- j. Regarding claim 19, White disclosed apparatus for performing the method of claim 12 (column 7, line 25-52).

White disclosed all limitations of claims 1, 2 and 12-19. Claims 1, 2 and 12-19 are rejected under 35 U.S.C. 102(b).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over White et al. (US 5603031 A), hereinafter referred as White as applied to claims 1 and 2 above, and further in view of Ulrich et al. (US 6052735 A), hereinafter referred as Ulrich and Gilmour (US 6377949 B1), hereinafter referred as Gilmour.

- a. White shows (claim 1) a method of transferring an active application from a sender to a recipient, the method comprising the steps of: (d) creating a hibernaculum of a process containing some or all of the program modules, data and execution state of the active application (column 7, line 66-column 8, line 6), (e) sending the hibernaculum to a location for retrieval by the recipient (column 8, line 6-10); and (f) reconstructing the active application from the retrieved hibernaculum (column 8, line 11-26); (claim 2) a method as claimed in claim 1 wherein the location is the mailbox of the recipient (column 107, line 48-column 108, line 10; column 108, line 55-column 109, line 5; column 110, line 58-column 111, line 2; column 123, line 35-49). White does not show (claim 3) wherein the hibernaculum is sent as an attachment to an e-mail sent to the recipient's mailbox; (claim 4) wherein the hibernaculum is sent to a personal information manager of the recipient; (claim 5) wherein the hibernaculum is sent to a storage location remote from the recipient.
- b. Ulrich shows (claim 3) wherein the hibernaculum is sent as an attachment to an e-mail sent to the recipient's mailbox (column 2, line 3-18); (claim 4) wherein the hibernaculum is sent to a personal information manager of the recipient (column 1, line 30-58); (claim 5) wherein the hibernaculum is sent to a storage location remote from the recipient (column 2, line 66-column 3, line 14) in an analogous art for the

purpose of electronic mail object synchronization between a desktop computer and mobile device.

- c. Neither White nor Ulrich shows (claim 6) wherein a reference to the storage location is sent to a mailbox of the recipient; (claim 7) wherein the storage location is on a World-wide Web server and the reference is a URL link; (claim 8) wherein the hibernaculum is sent to a storage location remote from the recipient and a reference to the storage location is sent to a personal information manager of the recipient.
- d. Gilmour shows (claim 6) wherein a reference to the storage location is sent to a mailbox of the recipient (column 19, line 31-36); (claim 7) wherein the storage location is on a World-wide Web server and the reference is a URL link (column 19, line 31-36); (claim 8) wherein the hibernaculum is sent to a storage location remote from the recipient and a reference to the storage location is sent to a personal information manager of the recipient (column 19, line 31-36) in an analogous art for the purpose of method and apparatus for assigning a confidence level to a term within a user knowledge profile.
- e. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify White's functions of system and method for distributed computation based upon the movement, execution, and interaction of processes in a network with Ulrich's functions of delivery files via e-mail and personal information management system and Gilmour's functions of specific inclusion of reference in URL.

Art Unit: 2144

- f. The modification would have been obvious because one of ordinary skill in the art would have been motivated to use e-mail and personal information management system to migrate process through network per White and Ulrich's teaching and further using the URL as a reference to the location of migrated process object.
- g. Regarding claim 9, Ulrich shows wherein, prior to step (c) the hibernaculum is transferred by the recipient to a further location and opened from the further location (column 4, line 4-28).
- h. Regarding claim 10, Ulrich shows wherein the further location is a calendar or scheduler (column 4, line 4-28).
- i. Regarding claim 11, Ulrich shows wherein, prior to step (c) the reference is transferred by the recipient to a further mailbox or personal information manager and opened from there (column 1, line 30-58).

Together White, Ulrich and Gilmour disclosed all limitations of claims 3-11. Claims 3-11 are rejected under 35 U.S.C. 103(a).

Remarks

5. The following pertaining arts are discovered and not used in this office action. Office reserves the right to use these arts in later actions.

- a. Quan (US 5230051 A) Distributed messaging system and method
- b. Devine et al. (US 6385644 B1) Multi-threaded web based user inbox for report management
- c. Barry et al. (US 6615258 B1) Integrated customer interface for web based data management

Art Unit: 2144

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the enclosed PTO-892 for details.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pas


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100